



IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF SOUTH CAROLINA  
GREENVILLE DIVISION

RUTH J. GOLDEN,

Plaintiff,

vs.

BAUSCH & LOMB et al.,

Defendants.

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CIVIL ACTION NO. 6:06-0890-HFF-BHH

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ORDER

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This is an employment discrimination action. Plaintiff is proceeding pro se. The Court has jurisdiction over the case pursuant to 28 U.S.C. § 1331. The matter is before the Court for review of the United States Magistrate Judge's Report and Recommendation (Report) suggesting that Plaintiff's Application to Proceed Without Prepayment of Fees be denied. The Report is made in accordance with 28 U.S.C. § 636 and Local Civil Rule 73.02 DSC.

The Magistrate Judge makes only a recommendation to this Court. The recommendation has no presumptive weight. The responsibility to make a final determination remains with the Court. *Mathews v. Weber*, 423 U.S. 261, 270 (1976). The Court is charged with making a de novo determination of those portions of the Report to which specific objection is made, and the Court may

accept, reject, or modify, in whole or in part, the recommendation of the Magistrate Judge or recommit the matter with instructions. 28 U.S.C. § 636(b)(1).

The Magistrate filed the Report on April 19, 2006, and Plaintiff filed her objections on May 5, 2006. In an abundance of caution and the interest of justice, the Court has conducted a de novo review of the entire record. In light of Plaintiff's objections, the Court will allow Plaintiff to pay the filing fee of \$350.00 in installments of \$50.00 a month for seven months. Each \$50.00 payment will be due on the first day of each month until the filing fee is paid in full. The first payment will be due on November 1, 2006.

After a thorough review of the Report and the record in this case, the Court adopts the Report and incorporates it herein to the extent that it does not contradict this Order. Accordingly, it is the judgment of this Court that Plaintiff's Application to Proceed Without Prepayment of Fees must be **DENIED**, but Plaintiff will be allowed to pay the filing fee in installments as set forth above.

**IT IS SO ORDERED.**

Signed this 4th day of October, 2006, in Spartanburg, South Carolina.

s/ Henry F. Floyd  
HENRY F. FLOYD  
UNITED STATES DISTRICT JUDGE

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**NOTICE OF RIGHT TO APPEAL**

Plaintiff is hereby notified of the right to appeal this Order within thirty (30) days from the date hereof, pursuant to Rules 3 and 4 of the Federal Rules of Appellate Procedure.